

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Michael A. Porter

Title:

MODIFIED OILSEED

MATERIAL WITH A HIGH GEL

**STRENGTH** 

Appl. No.:

10/722,359

Filing Date:

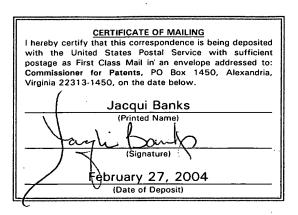
11/25/2003

Examiner:

To be determined

Art Unit:

To be determined



## <u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 CFR §1.56</u>

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003*.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

## TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

## RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date

Feb. 27, 2004

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Form PTO-1449 (MODIFIED)

U.S. DEPARTMENT OF COMMERCE ATTY. DOCKET NO. PATENT AND TRADEMARK OFFICE

023829-0221

SERIAL NO. 10/722,359

APPLICANT INFORMATION DISCLOSURE CITATION

Michael A. Porter

(Use several sheets if necessary)

FILING DATE

**GROUP ART UNIT** 

11/25/03

To be determined

## **U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A8	5,476,590	12/19/1995	Brose et al.		·	, a r roi rizite
	A9	5,456,843	10/10/1995	Koenhen			
	A10	5,290,448	03/01/1994	Sluma et al.			
	A11	5,086,166	02/04/1992	Lawhon et al.			
	A12	5,039,420	08/13/1991	Klein et al.			
	· A13	5,000,848	03/19/1991	Hodgins et al.			,
	A14	4,943,374	07/24/1990	Heininger et al.			
	A15	4,943,373	07/24/1990	Onishi et al.			
	A16	4,906,379	03/06/1990	Hodgins et al.		,	
-	A17	4,897,465	01/30/1990	Cordle et al.			
	A18	4,889,921	12/26/1989	Diosady et al.			
	A19	4,787,976	11/29/1988	Parham et al.			
	A20	4,697,004	09/29/1987	Puski et al.			
	A21	4,624,805	11/25/1986	Lawhon		,	
	A22	4,420,425	12/13/1983	Lawhon			
·	A23	4,332,719	06/01/1982	Lawhon et al.			
·	A24	4,324,805	04/13/1982	Olsen			
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	A26	4,256,652	03/17/1981	Kidani et al.			,
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	A28	4,163,010	07/31/1979	Garbutt			
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	A30	4,125,527	11/14/1978	Buhler et al.			
	A31	4,091,120	05/23/1978	Goodnight, Jr. et al.			
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	A34	4,072,670	02/07/1978	Goodnight, Jr. et al.			
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Page 3 of 4

Form PTO-1449	U.S. DEPARTMENT OF COMMERCE	ATTY. DOCKET NO.	SERIAL NO.		
(MODIFIED)	PATENT AND TRADEMARK OFFICE	023829-0221	10/722,359		
		APPLICANT			
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(Use	several sheets if necessary)	11/25/03	To be determined		

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EXAMINER REF DOCUMENT NUMBER		DATE	NAME		CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE	
	A37	4,018,752	04/19/1977	Büh	ler et al.			
· · ·	A38	3,995,071	11/30/1976	Goo	dnight, Jr. et al.			·
	A39	3,993,636	11/23/1976	Мац	ibois et al.			
-	A40	3,958,015	05/18/1976	Gay	,			
	A41	3,896,241	07/22/1975	Mala	aspina et al.			
	A42	3,880,755	04/29/1975	Tho	mas et al.			
	A43	3,736,147	05/29/1973	laco	bucci et al.		•	
	A44	3,728,327	04/17/1973	Fraz	zeur et al.			
	A45	3,622,556	11/23/1971	O'C	onnor	·		
	A46	3,586,662	06/22/1971	O,C	onnor ·	,		•
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ATTY, DOCKET NO. SERIAL NO. Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE 023829-0221 10/722,359 (MODIFIED) **APPLICANT** INFORMATION DISCLOSURE CITATION Michael A. Porter **GROUP ART UNIT FILING DATE** MAR 0 1 2004 To be determined 11/25/03 Use several sheets if necessary) **U.S. PATENT DOCUMENTS** FILING DATE **DOCUMENT** SUB-**EXAMINER** CLASS DATE NAME REF INITIAL **CLASS** NUMBER APPROPRIATE Greenwood et al. 05/02/2000 Α1 6,056,903 5,939,182 08/17/1999 Huang et al. A2 5,760,182 06/02/1998 Adachi et al. Α3 Maeda et al. 01/13/1998 5,707,522 **A4** 5,658,714 08/19/1997 Westfall et al. **A5** Maeda et al. 5,554,292 09/10/1996 A6 5,503,746 04/02/1996 Gagnon **A7 FOREIGN PATENT DOCUMENTS** TRANSLATION **DOCUMENT** SUB-DATE COUNTRY CLASS REF **CLASS** NUMBER YES NO GB 1 540 376 02/14/1979 **Great Britain** A47 1 580 051 11/26/1980 United Kingdom A48 WO 98/12209 03/26/1998 PCT A49 OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) A50 International Search Report for PCT/US01/43304 dated December 19, 2002 (2 pages). Cheryan, "Mass Transfer Characteristics of Hollow Fiber Ultrafiltration of Soy Protein Systems," J. Food Proc. Eng., 1, pp. A51 269-287 (1977). Gould et al., "A Practical Approach to Controlling the Fouling of Ultrafiltration Membranes: A Case Study of the Successful Development of a Commercial Soy Protein Application," available @ http://www.osmonics.com/products/Page823.htm A52 (available at least by Dec. 3, 1999). Lawhon et al., "Processing Whey-Type By-Product Liquids from Cottonseed Protein Isolation with Ultrafiltration and Reverse A53 Osmosis Membranes," <u>J. Food Proc. Eng.</u>, <u>1</u>, pp. 15-35 (1977). Lawhon et al., "Production of Protein Isolates and Concentrates from Oilseed Flour Extracts using Industrial Ultrafiltration A54 and Reverse Osmosis Systems," Journal of Food Science, 42, pp. 389-394 (1977). Lawhon et al., "Optimization of Protein Isolate Production from Soy Flour Using Industrial Membrane Systems," Journal of A55 Food Science, 43, pp. 361-369 (1978). Lawhon et al., "Alternate Processes for Use in Soy Protein Isolation by Industrial Ultrafiltration Membranes," Journal of Food A56 Science, 44, pp. 213-219 (1979). Lawhon et al., "Soy Protein Ingreedients Prepared by New Processes-Aqueous Processing and Industrial Membrane A57 Isolation," Journal of the American Oil Chemists' Society, 58, pp. 377-383 (Mar. 1981). Lawhon et al., "Production of Oil and Protein Food Products from Raw Peanuts by Aqueous Extraction and Ultrafiltration," A58 Journal of Food Science, 46, pp. 391-395 (1981). Lawhon et al., "Combining Aqueous Extraction and Membrane Isolation Techniques to Recover Protein and Oil from A59 Soybeans," Journal of Food Science, 46, pp. 912-916 (1981). **EXAMINER DATE CONSIDERED** EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.

Page 4 of 4

Form PTO-1449	U.S. DEPARTMENT OF COMMERCE	ATTY. DOCKET NO.	SERIAL NO.			
(MODIFIED)	PATENT AND TRADEMARK OFFICE	023829-0221	10/722,359			
	•	APPLICANT				
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(Use	several sheets if necessary)	11/25/03	To be determined			
	OTHER DOCUMENTS (Including A	Author, Title, Date, Pertinent Pages,	Etc.)			
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A61	Nichols et al., "Production of Soy Isolates by Ultrafiltration: Factors Affecting Yield and Composition," <u>J. Food Sci.</u> , <u>46</u> , pp. 367-372 (1981).					
A62	Okubo et al., "Preparation of Low-Phytate Soybean Protein Isolate and Concentrate by Ultrafiltration," <u>Cereal Chemistry</u> , <u>52</u> , pp. 263-271 (1975).					
A63	Omosaiye et al., "Removal of Oligosaccharides from Soybean Water Extracts by Ultrafiltration," <u>J. Food Sci., 43, pp. 354-360</u> (1978).					
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A67	Osmonics, "UltraFilic Membranes," available @ http://www.osmonics.com/products/Page918.htm (available at least by Nov. 15, 2000).					
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A70	Torok, "The Filtration Spectrum," available @ http://www.osmonics.com/products/Page710.htm (Published in "Filtration News" on May 1, 1994).					
A71 United Soybean Board, "Soy Protein Isolate" available @ http://www.talksoy.com/isolate.htm (available at least by Sept. 2000).						